

**AMERICAN BROADBAND ET AL**

**1605 WASHINGTON ST. BLAIR NE 68008 (402) 426.6200**

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2018

Date signed: March 1, 2019

**Names of Companies Covered by this Certification:**

**499 Filer ID**

|  |        |
|--|--------|
| Holway Long Distance Co                            | 820540 |
| Holway Telephone Co                                | 807138 |
| Rock County Telephone Co                           | 802275 |
| HunTel Cablevision, Inc. dba HunTel Communications | 823276 |
| Eastern Nebraska Telephone Co                      | 802272 |
| Blair Telephone Co.                                | 802269 |
| Arlington Telephone Co.                            | 802266 |
| KLM Telephone Co.                                  | 807141 |
| KLM Long Distance Co.                              | 820542 |

Name of signatory: Joe Jetensky

Title of signatory: President

I, Joe Jetensky, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted, or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47. C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

**AMERICAN BROADBAND ET AL**

Signed: \_\_\_\_\_

**COMPANY 499 FILER ID XXXXXX**

**ADDRESS**

**2017 ANNUAL STATEMENT OF FCC CPNI RULE COMPLIANCE  
January 01, 2018**

This statement accompanies the Company's Customer Proprietary Network Information ("CPNI") Certification, as required by Section 64.2009(e) of the Federal communications Commission's ("FCC's") rules, for the purpose of explaining how the operating procedures of the Company ensure compliance with Part 64, Subpart U of the FCC's rules. *See 47 C.F.R. § 64.2001 et seq.*

*All subsequent references to rule Sections refer to rules under Part 64, Subpart U unless indicated otherwise.*

***As of this date, the Company has not used nor plans to use CPNI for marketing. For marketing purposes, the Company uses customer billing name and address and/or telephone number without any disaggregation or refinement based on CPNI.***

**1. Identification of CPNI**

The Company has established procedures and trained employees having access to, or occasion to use customer data, to identify what customer information is CPNI consistent with the definition of CPNI under the Section 64.2003(g) and Section 222(f)(1) of the Communications Act of 1934 as amended (47 U.S.C. § 222(f)(1)).

**2. Identification of Services Affected by CPNI Rules**

The Company has established procedures and trained employees to recognize the different types of telecommunications and non-telecommunications services that affect how the Company uses CPNI.

**3. Identification of Permissible Uses of CPNI without Customer Authorization**

The Company has established procedures and trained employees having access to, or occasion to use CPNI, to identify uses of CPNI **not** requiring customer authorization under Section 64.2005.

**4. Identification of Uses of CPNI Requiring Customer Authorization**

The Company has established procedures and trained employees having access to, or occasion to use CPNI, to identify uses of CPNI requiring customer authorization under Section 64.2007.

**5. Customer Notification and Authorization Process**

The Company does not use CPNI for marketing and thus, at this time has not provided notice regarding Opt-Out. Prior to any planned use of CPNI for marketing, the Company will initiate the notification and Opt-Out process. The Company does not provide CPNI to other parties and thus has not used the opt-in approval process. The Company has trained employees regarding prohibitions on use of CPNI for marketing. Prior to initiation of any program for use of CPNI for marketing, the Company will train employees with a need and/or responsibility for obtaining

customer authorization to use CPNI for marketing purposes, regarding the notice and approval requirements under Section 64.2008.

**6. Record of Customer CPNI Approval/Non-Approval**

At such time as Company may initiate use of CPNI for marketing with corresponding launch of a notification and Opt-Out process, the Company will develop and utilize a system for maintaining readily accessible record of whether and how a customer has responded to Opt-Out approval as required by Section 64.2009(a).

**7. Procedures Protecting Against Disclosure of CPNI**

The Company has implemented procedures for compliance with new Section 64.2010 including, but not limited to the following:

Authentication of customers before disclosing CPNI on customer-initiated telephone contacts or business office visits.

The Company does not provide customers with on-line access to customer account information.

The Company has implemented procedures to notify customers of account changes.

**8. Actions Taken Against Data Brokers and Responses to Customer Complaints**

Pursuant to Section 64.2009, the Company makes the following explanation of any actions taken against data brokers and a summary of all customer complaints received in the past year concerning the unauthorized release of CPNI:

|                        |  |
|------------------------|--|
| <u>Not applicable.</u> | No actions taken against data-brokers. |
|                        | No customer complaints received.       |

**9. Disciplinary Process**

The Company has in place an express disciplinary process to address any unauthorized use of CPNI where the circumstances indicate authorization is required under Section 64.2009(b).

**10. Supervisory Review Process for Outbound Marketing**

Before undertaking to use CPNI for outbound marketing purposes, the Company will establish a supervisory review process to ensure compliance with Section 64.2009(d) of the FCC's Part 64, Subpart U CPNI rules.

**11. Procedures for Notifying Law Enforcement of CPNI Security Breaches**

The Company has adopted procedures to comply with Section 64.2011 for notifying law enforcement of CPNI security breaches, together with related recordkeeping and deferred notification to customers.

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KLM Telephone Company  
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### **2018 OPERATING PROCEDURES FOR COMPLIANCE WITH CPNI RULES**

Holway Long Distance Company, Holway Telephone Co, Rock County Telephone Company, HunTel Cablevision, Inc. dba HunTel Communications, Eastern Nebraska Telephone Company, Blair Telephone Company, Arlington Telephone Company, KLM Telephone Company, KLM Long Distance Company (“the ABB Companies”)

The ABB Companies have implemented the following procedures to ensure that they are compliant with Part 64 of Title 47 of the Code of Federal Regulations, Subpart U – Customer Proprietary Network Information (CPNI), § 64.2001.

#### **Compliance Officer**

The ABB Companies have appointed a CPNI Compliance Officer. The Compliance Officer is responsible for ensuring that the ABB Companies are in compliance with all of the CPNI rules. The Compliance Officer is also the point of contact for anyone (internally or externally) with questions about CPNI.

#### **Employee Training:**

The Compliance Officer arranges for the training of all employees on an annual basis, and more frequently as needed. Any new employee is trained when hired by an ABB Company. The training includes, but is not limited to, when employees are and are not authorized to use CPNI, and the authentication methods the company is using. The detail of the training can differ based on whether or not the employee has access to CPNI.

After the training, all employees are required to sign a certification that they have received training on the CPNI rules, that they understand the Companies’ procedures for

protecting CPNI and they understand the Companies' disciplinary process for improper use of CPNI. Additionally, each employee is given a CPNI manual.

Employees are instructed that if they ever have any questions regarding the use of CPNI, if they encounter someone other than the authorized person on a customer's account trying to access CPNI that they should contact the Compliance Officer immediately. The Compliance Officer will then determine what action need to be taken.

#### Disciplinary Process

The ABB Companies have established specific disciplinary processes for improper use of CPNI. The disciplinary action is based on the type and severity of the violation and could include any or a combination of the following: retraining the employee on CPNI rules, notation in the employee's personnel file, formal written reprimand, suspension or termination.

The disciplinary process is reviewed with all employees.

A copy of each Company's disciplinary process is kept in the CPNI manual.

#### Customer Notification and Request for Approval to Use CPNI

The ABB Companies have provided notification to their customers of their CPNI rights and has asked for the customer's approval to use CPNI via the opt-out method. A copy of the notification is also provided to all new customers that sign up for service.

The status of a customer's CPNI approval is prominently displayed as soon as the customer's account is accessed so that employees can readily identify customers that have restricted the use of their CPNI.

The ABB Companies do not share CPNI with any joint venture partners, independent contractors or any third party.

For the customers that have opted-out and said the Companies cannot use their CPNI, that decision will remain valid until the customer changes it.

Each ABB Company sends the opt-out notice every two years to those customers that have not previously opted out.

Each ABB Company will provide written notice within five business days to the FCC of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

A copy of the most recent notification is kept in the CPNI official files.

### Marketing Campaigns

The ABB Companies have established a supervisory review process for any outbound marketing that it conducts. If an ABB Company uses CPNI for any marketing campaign, the Compliance Officer must review the campaign and all materials to ensure that it is in compliance with the CPNI rules.

The ABB Companies have a process for maintaining a record of any marketing campaign of its own, or its affiliates, which use customers CPNI. The record will include a description of the campaign, the specific CPNI that was used in the campaign and what products and services were offered as part of the campaign. The Companies will retain the record of the campaign for a minimum of one year.

### Authentication

The ABB Companies do not disclose any CPNI until the customer has been appropriately authenticated as follows:

**In-office visit** - the customer must provide a valid photo ID matching the customer's account information.

**Customer-initiated call** – the customer is authenticated by providing an answer to a pre-established question and must be listed as a contact on the account.

If the customer wants to discuss call detail information that requires a password, the following guidelines are followed:

- If the customer can provide all of the call detail information (telephone number called, when it was called, and the amount of the call) necessary to address the customer's issue, the ABB Companies will continue with routine customer care procedures.
- If the customer cannot provide all of the call detail information to address the customer's issue, the Company will: (1) call the customer back at the telephone number of record, (2) send the information to the address of record, or (3) ask the customer to come into the office and provide a valid photo ID.

### Notification of Account Changes

The ABB Companies promptly notify customers whenever a change is made to any of the following:

- Address of record.
- Authentication question or answer.



The ABB Companies have a process for tracking when a notification is required and for recording when and how the notification is made. The software program generates the notification letter. The account is commented as of the change that was made. The notice is sent via the US Postal Service.

#### Notification of Breaches

Employees will immediately notify the Compliance Officer of any indication of a breach. If it is determined that a breach has occurred, the Compliance Officer will do the following:

- Notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) as soon as practicable, but in no event later than 7 business days after determination of the breach. The notification will be via the FCC link at <http://www.fcc.gov/eb/cpni>.
- Notify customers only after 7 full business days have passed since notification to the USSS and the FBI, unless the USSS or FBI has requested an extension.
- If there is an urgent need to notify affected customers or the public sooner to avoid immediate and irreparable harm, it will be done only after consultation with the relevant investigating agency.
- Maintain a record of the breach, the notifications made to the USSS and FBI, and the notifications made to customers. The record should include dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach.
- Include a summary of the breach in the annual compliance certificate filed with the FCC.

#### Annual Certification

The Compliance Officer will ensure that a Compliance Certification is filed with the FCC by March 1 of each year for data pertaining to the previous calendar year.

#### Record Retention

The ABB Companies retain all information regarding CPNI in the CPNI master file. Following is the minimum retention period we have established for specific items:

- CPNI notification and records of approval – one year
- Marketing campaigns – one year
- Breaches – two years
- Annual certification – seven years

- Employee training certification – two years
- All other information – two years

#### Miscellaneous

The ABB Companies CPNI policies include reasonable measures to discover and protect against activity that is indicative of pretexting, as well as any other activity of unauthorized access to CPNI. Employees are instructed to notify the CPNI Compliance Officer if any such activity is suspected who will then determine what action needs to be taken.